

THIS AMENDMENT: **ORIG**  
\_\_\_\_ Passed \_\_\_\_\_ Passed as amended by \_\_\_\_\_  
\_\_\_\_ Failed \_\_\_\_\_ Not Offered \_\_\_\_\_



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Arizona Corporation Commission

**DOCKETED**

**RECEIVED**

JAN 28 2004

**UTILITIES DIVISION AMENDMENT # 2**

2004 JAN 28 P 3:12

DOCKETED BY	<i>CR</i>
COMPANY: Qwest Corporation	

DATE PREPARED: January 21, 2004

AZ CORP COMMISSION  
DOCUMENT CONTROL  
AGENDA ITEM NO.

DOCKET NO. T-01051B-03-0454

OPEN MEETING DATE: January 29, 2004

**PAGE 8, LINES 6-11, DELETE THE FOLLOWING:** "As long as Qwest is requesting a modified Price Cap Plan instead of a traditional rate case, however, it is not clear that all the information required under R14-2-103 is necessary. For example, R14-2-103 refers to the "test year," and this concept may not be relevant to review of the Price Cap Plan. There is information required under R14-2-103, however, that appears not to be required under the Settlement Agreement, but will be necessary for Commission action on the Renewed Plan." **INSERT THE FOLLOWING IN ITS PLACE:** "In addition, since it is clear what Qwest is requesting will result in major rate and revenue increase for the Company, Qwest must comply with all applicable Commission rules governing applications for rate increases. The Price Cap Plan provides that 'Unless expressly provided herein, this Price Cap Plan is not intended to alter or eliminate the application of current Commission rules and orders to Qwest.'" See Decision No. 63487, Ex. A, At. A, subpart 7a. Nonetheless, the Staff should have flexibility to determine if certain information under R14-2-103 may not be necessary for Commission action on the renewed Plan. The Hearing Division shall establish a procedural schedule in contemplation of Qwest's filing pursuant to R14-2-103. The parties should still proceed pursuant to Attachment A, subpart 6c of the Settlement Agreement to discuss Qwest's proposed changes to the Price Cap Plan.

**PAGE 10, LINE 4, INSERT FINDING OF FACT 13:** "Since Qwest is requesting a major rate and revenue increase through its proposed modifications to the Plan, Qwest must comply with the filing requirements of R14-2-103. Staff should have the flexibility to determine if certain information under R14-2-103 may not be necessary for Commission action on the renewed Plan.

**PAGE 11, LINE 1, ORDERING PARAGRAPH 5, INSERT AFTER** "the Hearing Division shall" the word "immediately".

**PAGE 11, LINE 4, ORDERING PARAGRAPH 5, DELETE** the following language "once Qwest has filed its restated and accurate Arizona financial statements"

**PAGE 11, LINE 4, ORDERING PARAGRAPH 5, INSERT** the following sentence "Nothing herein is entitled to preclude continued negotiation by the parties pursuant to Attachment A, paragraph 6c of the Agreement with respect to the appropriate terms and conditions for renewal or modification of Qwest's Price Cap Plan."